

26.08.2021
Item no. 44
Court No.32.
S.De.
(rejected)

(Via Video Conference)

CRM 4387 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 30.06.2021 in connection with Thakurpukur Police Station Case No. 233 of 2019 dated 23.10.2019 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : Rabi Das @ Robi.

.....Petitioner.

Mrs. Sonali Das, Advocate,

.....for the Petitioner.

Mr. N. Ahmed, Ld. A.P.P.,
Ms. Amita Gour Advocate,

.....for the State.

The petitioner is one of the two accused persons. The allegation is that the petitioner murdered the victim. Apparently, the victim and the petitioner were last seen together and soon thereafter the victim's body was recovered from the spot where they were seen together.

The petitioner says that he has been framed. There is no eyewitness to the incident. He has been implicated on the basis of circumstantial evidence. He has been in custody for

about one year and ten months. It is anybody's guess as to when the trial will conclude.

We have considered the material in the case diary and the statement of witness recorded under Section 164 of the Code of Criminal Procedure.

On an overall assessment on the gravity of the allegation and the possible extent of complicity of the petitioner in the alleged offence, we are not inclined to allow the petitioner's prayer for bail at this stage.

CRM 4387 of 2021 is dismissed.

However, we request the learned Trial Court to expedite the trial and bring the same to its logical conclusion as soon as the business of the Court may permit.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)